

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: November 8, 2005]²

Bill No. and sponsor: H.R. 2396 (Mr. Jim Costa of California)

Proponent name, location: Bayer CropScience, Washington, DC.

Other bills on product (109th Congress only): None.

Nature of bill: Extension of temporary duty reduction through December 31, 2008.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Mixtures of imidacloprid (1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine) (CAS No. 138261-41-3) with application adjuvants (provided for in subheading 3808.10.25)

Check one: ☒ Same as that in bill as introduced.
 ☐ Different from that in bill as introduced (see Technical comments section).


Product information, including uses/applications and source(s) of imports:

The subject mixtures contain the active-ingredient insecticide, imidacloprid, and application adjuvants. These formulations are used as systemic soil, seed, or foliar treatments to control sucking insects (e.g., aphids, termites, whiteflies, turf insects, and soil insects) on cotton, fruits, potatoes, rice, turf, and other vegetables. This product is imported from Germany.

¹ Industry analyst preparing report: Ed Cappuccilli (202-205-3368); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Estimated effect on customs revenue:

HTS subheading: <u>3808.10.25</u>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$61,000,000	\$61,000,000	\$61,000,000	\$61,000,000	\$61,000,000
Customs revenue loss ^{1/}	\$488,000	\$488,000	\$488,000	\$488,000	\$488,000

^{1/}Estimate revenue loss for 2005 and 2006 results from a current reduction of duty per heading 9902.02.52. Revenue loss estimates shown result from a difference between the rate of duty shown and the proposed continued reduced rate of 5.7%.

Source of estimated dutiable import data: Industry and Commission estimates.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Bayer CropScience (Proponent) William Hensley, 202-756-3781	9/20/2005	No	No	No
AtoFina Cerexagri Charles Kitchin, Fax: 703-527-2092	9/20/2005	No	No	No
BASF Corp. Greg Thies, Fax: 202-682-9459	9/20/2005	No	No	No
Crompton Corp. Carly Seymour, 202-463-8493	9/20/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-436-0474	9/20/2005	No	No	No
Dow AgroScience Margaret Rogers, Fax: 202-429-3467	9/20/2005	No	No	No
E.I. DuPont Elaine Olsen, Fax: 302-774-1398	9/20/2005	No	No	No
FMC Corp. Sidney McDaniel, Fax: 215-299-6954 Jerry Prout, Fax: 202-956-5235	9/20/2005	No	No	No

Griffin Corp. James Whatley, Fax: 800-248-5154 Stephen Glennon, Fax: 800-248-5154	9/20/2005	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	9/20/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	9/20/2005	No	No	No

Technical comments:³ None.

³ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

109TH CONGRESS
1ST SESSION

H. R. 2396

To extend the temporary suspension of duty on Imidacloprid pesticides.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2005

Mr. COSTA introduced the following bill; which was referred to the Committee
on Ways and Means

A BILL

To extend the temporary suspension of duty on Imidacloprid
pesticides.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. IMIDACLOPRID PESTICIDES.**

4 (a) IN GENERAL.—Heading 9902.02.52 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 Imidacloprid pesticides) is amended by striking “12/31/
7 2006” and inserting “12/31/2008”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of enactment of this Act.

